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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: JOHN MCMULLEN	:	CHAPTER 13
	:	
DEBTOR	:	Bankruptcy No. 21-10454
	:	
JOHN MCMULLEN	:	
604 Milleson Lane	:	
West Chester, PA 19380	:	
PLAINTIFF	:	
v.	:	ADVERSARY NO. 21-
Partners for Payment Relief DE IV, LLC:	:	
920 Cassatt Road	:	
Berwyn, PA 19312	:	
DEFENDANT	:	

COMPLAINT TO DETERMINE VALIDITY, PRIORITY AND EXTENT OF LIEN AND  
SECURED STATUS  
PURSUANT TO 11 U.S.C. 506 AND IN RE: MCDONALD

1. Debtor filed for protection under Chapter 13 on February 25, 2021.
2. Debtor owns real estate located at 604 Milleson Lane, West Chester, PA 19380, the value of said real property is not in excess of \$650,000.00 as shown on Debtor's Schedules A/B (Exhibit A).
3. Debtors have a first mortgage with LPP Mortgage, Inc. LPP Mortgage, Inc. filed a Proof of Claim on April 5, 2021 in the amount of \$815,103.16 (Exhibit B).
4. Debtor has a second mortgage with Partners for Payment Relief DE IV, LLC serviced by Fay Servicing, LLC. The balance is \$196,706.45 as shown on the Proof of Claim filed on April 28, 2021 (Exhibit C).
5. The first mortgage on said real property exceeds the value of the real property.
6. The second mortgage to Partners for Payment Relief DE IV, LLC is wholly unsecured pursuant to 11 U.S.C. 506 and In Re: McDonald.

WHEREFORE, Debtor prays that this Honorable Court find in his favor and against defendant and enter an order finding the debt to defendant to be wholly unsecured.

Date: <u>11-30-21</u>	/Zachary Perlick/ ZACHARY PERLICK, ESQUIRE 1420 Walnut Street, Suite 718 Philadelphia, PA 19102 (215) 569-2922
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